

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	07 CR. 719 (WHP)
- v -	:	
KAREEM EDWARDS,	:	
Defendant.	:	

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DECLARATION OF KAREEM EDWARDS

I, KAREEM EDWARDS, hereby declare under the penalties of perjury, pursuant to 28 U.S.C. § 1746, that:

1. I am the defendant in the above captioned criminal case, and I make this declaration in support of a motion pursuant to Rules 12(b)(3) and 41 of the Federal Rules of Criminal Procedure to suppress physical evidence obtained from me by law enforcement authorities in violation of my constitutional rights. Since the only purpose of this declaration is to show that my constitutional rights were violated, I have not included every detail of what occurred.
2. On the afternoon of July 6, 2007, I was home in my mother's apartment at 1154 E. 229th Street in the Bronx, New York. At some point during the afternoon, I heard the sound of gunshots fired in my neighborhood. I do not know who was shooting or why.
3. Several hours after hearing the gunshots -- at least three hours later -- I left my mother's

apartment and began walking toward a car that I occasionally used, an old four-door Toyota Camry, that was owned by my father. I had permission to use the car. The time was approximately 8:30 p.m., and I was not carrying a towel or a gun.

4. After getting into my car, two undercover police officers pulled their unmarked car in front of mine so that I could not drive away. At first, I was not aware that the men were police officers. I got out of my car, stood next to the driver's side door with the door open and asked them in a terse tone, "What's up?" They then identified themselves as police officers, and asked me a series of questions, including questions about the ownership of the car. I answered the officers' questions explaining that the car was owned by my father and that I had permission to use it. I showed the officers the car's valid registration which was in the name of my father, Theodore Edwards, and I showed them my valid driver's permit. I was not acting nervous, and I was not repeatedly placing my hands in and out of my pockets as claimed in the Complaint.
5. Following the officers' questioning of me, a third officer arrived and searched the car through the passenger-side rear door. After searching underneath the driver's side front seat, he discovered a handgun and a frayed, small hand-towel.
6. I did not carry the gun or the towel to the car prior to my stop by the police as alleged in the Complaint. In fact, the towel was always kept in the car as a rag for cleaning and maintenance.

I declare under penalty of perjury that the foregoing is true and accurate.

Dated: Brooklyn, New York
August 22, 2007


KAREEM EDWARDS